

REMARKS/ARGUMENTS

The Examiner has required restriction between the following alleged inventions:

Group I, claims 45-51, “drawn to method for stimulating restenosis”;

Group II, claims 55-61, “drawn to a method for reducing restenosis”;

Group III, claims 62-67, “drawn to a drug eluting stent”: and

Group IV, claim 68, “drawn to a method of treating.”

For reasons given in the Restriction Requirement, the Examiner states that these groups are (patentably) “distinct” and, therefore, restriction for examination purposes is indicated.

Applicants elect Group IV, claim 68 *without traverse*.

The status of claims 52-54 were not addressed in the Restriction Requirement. Since these claims are dependent on claim 45, Applicants presume that these claims should have been included in Group I and have treated them accordingly. If this was not the Examiner’s intention, Applicants respectfully request notification of the Examiner’s intent.

Claims 45-61 and 63-67 have been canceled.

Solely to expedite prosecution, and not to acquiesce to the propriety of any of the Examiner’s comments, Applicants have amended claim 68 and added new claims 69-88. New claims 69-88 are readable on the elected invention of Group IV. Also, with regard to the elected invention of Group IV, support for the amendments to claim 68 and new independent claim 86 can be found in the specification at, for example, paragraphs [0038], [0043], [0045], [0068], and [0076].

Claims 45-61 and 63-67 have been cancelled and claim 62 has been withdrawn without prejudice to Applicant’s right to pursue the subject matter of the cancelled and withdrawn claims in one or more related applications.

It is also submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned agent.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 50-3207.

Respectfully submitted,

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